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500.42062CX1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: YASUNORI et al
Serial No.: 10/669,569
Filed: September 25, 2003
For: Scroll Compressor And Refrigerating System Using
Ammonia Group Refrigerant
Art Unit: 3744
Examiner: F. Zec

RESPONSE

Mail Stop: Amendment (Fee)
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

June 14, 2004

Sir:

This is in response to the Office Action mailed April 7, 2004, in connection with the above-identified application.

Claims 1 - 9 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 - 12 of United States Patent No. 6,708,520. In response to this rejection, applicants are submitting herewith a timely filed Terminal Disclaimer in compliance with 37 CFR 1.321(c). Accordingly, withdrawal of the obviousness-type double patenting rejection is requested.

The Terminal Disclaimer has been filed in order to advance the prosecution of the subject application and is not an admission of the propriety of the obviousness-type double patenting rejection.

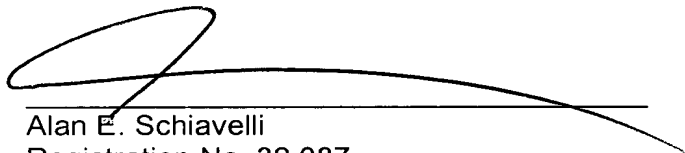
Applicants note the Examiner has cited the patent to Kawano et al as being pertinent to applicants' disclosure. However, since this patent was not applied in rejecting claims formerly in the application, further discussion of this patent is deemed unnecessary.

In view of the foregoing amendments and remarks, favorable reconsideration and allowance of all of the claims now in the application are requested.

To the extent necessary, applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (Case: 500.42062CX1), and please credit any excess fees to such deposit account.

Respectfully submitted,

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